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OFFICE OF PETITIONS

Applicant: Klaveness et al.
Appl. No.: 10/583,829
International Filing Date: December 23, 2004
Title: MODULATORS OF PERIPHERAL 5-HT RECEPTORS
Attorney Docket No.: PLOUG19.001APC
Pub. No.: US 2007/0254874-A1
Pub. Date: November 1, 2007

This is a decision on the request for a corrected patent application publication under 37 CFR 1.221(b), received on December 20, 2007, for the above-identified application.

The request is DISMISSED.

Applicants request that the application be republished because the title of the invention, "Modulators of Peripheral 5-HT Receptors," is misprinted as "Modulators of Preripheral 5-HT Receptors" in the patent application publication.

37 CFR 1.221(b) is applicable "only when the Office makes a material mistake which is apparent from Office records. Any request for a corrected or revised patent application publication other than as provided in paragraph (a) of this section must be filed within two months from the date of the patent application publication. This period is not extendable." A material mistake must affect the public's ability to appreciate the technical disclosure of the patent application publication, to determine the scope of the patent application publication, or to determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent (e.g., error in the claims, serious error in a portion of the written description or drawings that is necessary to support the claims).¹

The instant request does not identify a material mistake in the publication made by the Office under 37 CFR 1.221(b) with respect to the error in the title of the invention. The error does not affect the public's ability to appreciate the technical disclosure of the patent application publication, determine the scope of the patent application publication, or determine the scope of the provisional rights that an applicant may seek to enforce upon issuance of a patent.

¹Changes to Implement Eighteen-Month Publication of Patent Applications, 65 FR 57023, 57038 (Sept. 20, 2000), 1239, Off. Gaz. Pat. Office Notices 63, 75 (Oct. 10, 2000) (final rule).

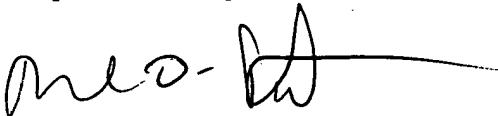
Applicants are advised that a "request for republication of an application previously published" may be filed under 37 CFR 1.221(a). Such a request for republication "must include a copy of the application in compliance with the Office electronic filing system requirements and be accompanied by the publication fee set forth in § 1.18(d) and the processing fee set forth in § 1.17(i)." If the request for republication does not comply with the electronic filing system requirements, the republication will not take place and the publication fee set forth in § 1.18(d) will be refunded. The processing fee will be retained.

Any request for republication under 37 CFR 1.221(a) must be submitted via the EFS system as a "Pre-Grant Publication" and any questions or request for reconsideration of the decision should be addressed as follows:

By mail to: Mail Stop PGPUB
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By facsimile: 571-273-8300

Inquiries relating to this matter may be directed to Mark Polutta at (571) 272-7709.

A handwritten signature in black ink, appearing to read 'Mark Polutta', with a long horizontal line extending to the right.

Mark Polutta
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